

PLEA MINUTE SHEET

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO (AT LAS CRUCES)

CR 11-487 RB

UNITED STATES vs. VILLALOBOS, et al.,

Before The Honorable William P. Lynch, United States Magistrate Judge

Hearing Date:	8/01/11	Time in and Out:	10:19 a.m.-10:40 a.m. (21 min)
Clerk:	V. DELGADO	Courtroom:	FTR TORTUGAS
Defendant:	BLAS GUTIERREZ	Defense Counsel:	C.J. MCELHINNEY
AUSA:	GREG MCDONALD & STEVEN SPITZER	Interpreter:	NONE
X	Defendant Sworn		First Appearance
X	Consent to proceed before a magistrate judge and original plea agreement reviewed and executed by Deft		
X	Deft acknowledges receipt of: (Indictment or Information)		
	If Deft proceeding by way of information, Deft acknowledges right to an indictment and waives that right.		
X	Terms and conditions of proposed written plea agreement outlined		
X	Factual predicate to sustain the plea provided		
X	Deft questioned re Deft's age, physical/mental condition, under the influence of alcohol, drugs, or any medication, and advises Deft of charge(s) and possible consequences of the plea		
X	Deft advised of constitutional rights, loss of rights, and maximum possible penalties (including imprisonment, fine supervised release, probation, SPA, restitution, and any forfeitures)		
X	Deft questioned re time to consult with attorney and if satisfied with his or her representation		
X	Court finds Deft fully understands charge(s), terms of plea, and the consequences of entry into any plea agreement		
X	Deft plead GUILTY to: Counts 1, 2, 3, 4, 6, 8, 10, 13, 16, 17, 21, 22, 25, 26, 31, 35, 39, 41, 43, 45, 46, 47, 48, 49, 51, 53, 55, 56, 60, 61, 64, 65, 70, 75, 77, 80 & 83 of INDICTMENT		
X	Allocution by Deft on elements of charge(s)		
X	Court finds plea freely, voluntarily, and intelligently made, plea of guilty accepted		
X	Deft adjudged guilty		
X	Acceptance of plea agreement deferred until final disposition hearing by district judge.		
X	Sentencing Date: TO BE NOTIFIED		
X	Defendant to Remain in Custody		
	Present conditions of release continued		Conditions changed to:
	Penalty for failure to appear explained		
X	Presentence Report Ordered		Expedited (Type III)
X	Other Matters: GOVERNMENT ORALLY MOVES TO SEAL DEFENDANT'S PLEA AGREEMENT AND ALL FURTHER PLEA AGREEMENTS IN THIS CASE; COURT GRANTS, DEFENDANT'S PLEA AGREEMENT WILL BE SEALED.		